



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3020381
Applicant Name: Diana Wellenbrink for Kamin Properties LLC
Address of Proposal: 3046 17th Avenue West

SUMMARY OF PROPOSAL

Land Use Application to allow a 7-story apartment building with 59 small efficiency dwelling units and 1,115 sq. ft. of retail at the ground level. Parking for 17 vehicles to be provided.

The following approvals are required:

Design Review (Seattle Municipal Code (SMC) 23.41)

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

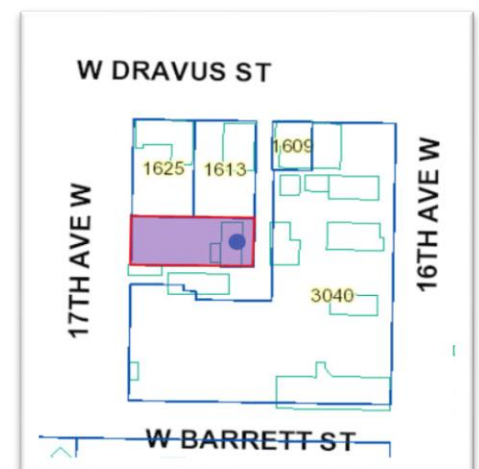
SEPA DETERMINATION

Determination of Non-Significance

- ☐ No mitigating conditions of approval are imposed.
- ☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

This site is located at 3046 17th Avenue West in the Interbay neighborhood of Seattle. The project site is a vacant property. Vehicular access to the site is possible from both 17th Avenue West and an existing improved alley that abuts the site's east and south boundary lines. 17th Avenue West is classified as a Non-Arterial, pursuant to SMC Chapter 23.53. This street is improved with sidewalk, curb, street trees and gutters abutting the property.



SITE AND VICINITY

Site Zone: Seattle Mixed/West Dravus area (SM/D 40-85)

Nearby Zones: North: SM/D 40-85
South: SM/D 40-85
East: SM/D 40-85
West: Commercial 2 (C2-40)

ECAs: The site's topography is characterized as having gradual grade changes along 17th Avenue West approximately 1.5' north to south and approximately 8' east to west. The entire site is mapped Environmentally Critical Areas (ECAs) Liquefaction prone and Abandoned Landfill.

Site Size: 6,010 square feet (sq. ft.)

PUBLIC COMMENT

The public comment period ended on October 18, 2015. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to streetscape design and shadow impacts.

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT: NEIGHBORHOOD CHARACTER

Surrounding development includes one and two-storied commercial restaurant buildings with accessory surface parking to the north; and, a seven-story mixed-use commercial/residential building to the south and east (the Slate Apartments).

This mid-block site is situated on the east side of 17th Avenue West and across the street from a City Park (Interbay Athletic Field). The neighborhood is a mingling of commercial uses inclusive of restaurants, offices, retail and a grocery store. The neighborhood is evolving with blocks in vicinity of the subject site having seen significant development comprised of residential and commercial uses in the past several years. Other amenities in the area include the Interbay golf course and Interbay P-Patch garden.

EARLY DESIGN GUIDANCE August 19, 2015
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The Early Design Guidance (EDG) packet includes materials presented at the meeting, and is available online by entering the project number (**Error! Reference source not found.**) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The packet is also available to view in the file, by contacting the Public Resource Center at Seattle DCI:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
 P.O. Box 34019
 Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

Some members of the public attended this Early Design Guidance meeting but no public comment was offered at this meeting.

RECOMMENDATION April 20, 2016
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The design packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3020381) at this website:
<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The packet is also available to view in the file, by contacting the Public Resource Center at Seattle DCI:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
 P.O. Box 34019
 Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

Some members of the public attended this Recommendation meeting but no public comment was offered at this meeting.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: <http://web6.seattle.gov/dpd/edms/>

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE August 19, 2015

1. Design Concept, Architectural Expression and Massing: The design and siting of the new commercial/residential development should have a strong architectural presence, complement the architectural style of the neighboring building and respect adjacent properties. (CS2.A.2, CS2.D.1, CS2.D.5, CS3.2)

- a. The voiced unanimous support for the preferred design scheme Concept 3 (Energy). The Board felt that the preferred design massing had the most potential and appreciated the design progression. Therefore, the Board proposed that design scheme Concept 3 should move forward to Master Use Permit (MUP) submittal with the following guidance:
 - i. The Board was generally supportive of the big picture massing moves with the vertical circulation (stair towers) sited on the north side of the building and that the building is essentially a box wrapped around those big circulation elements. The Board stated that the success of this design model will be very dependent upon achieving a cohesive shell. The Board found the precedent inspirational images shown in the EDG design packet (pgs. 16, 17 and 29) very compelling. Consequently, the Board encouraged the applicant to consider simplifying, refining and reducing the massing moves; and commit to achieving a “simple box with a textured and beautiful wrap.” (DC2.B, DC2.C)
 - ii. The Board stated that the cladding and overall treatment of the façade should be refined and the materials should add texture and depth, especially on the blank walls. At the Recommendation meeting, the Board would like to review a refined material selection and material details that would result in an interesting and unique building that will stand out as the “jewel box” tucked amongst the surrounding building (Slate Apartments). (DC2.C, DC2.D, DC4.A)
 - iii. The Board expressed concern that the highly visible southwest corner massing appeared unresolved. The Board stated it is imperative that the southwest corner, in conjunction with the west and south facades as they meet, should have some design logic and consistency to them. (DC2.B, DC2.C)
- b. The Board was very supportive of the applicant’s design intent to create a music room as an amenity for the residents to enjoy. (DC3.B.1)
- c. At the EDG meeting, the applicant’s materials and presentation illustrated a lobby mezzanine area described as the “Werner’s Family Memory Gallery.” The Board praised the intended purpose of this space which is to honor the past property owner (Mr. Werner) and other members of the neighborhood. The Board encouraged the applicant to explore methods (signage, public art, design cue, etc.) that could also express this unique gesture to the Werner Family on the building’s exterior with the intent that this great gesture will be visible to pedestrians. (CS3.B)

2. 17th Avenue West Frontage and Streetscape:

- a. The Board stated that the architectural expression of the ground-level front façade should be consistent with the overall architectural concept. The Board asked the applicant to explore techniques (i.e. utilize glazing to maximize openness) that differentiate the ground floor from upper floors in a distinctive and refined manner. (PL3.C, DC2.C.1)

- b. The Board appreciated the applicant's intent to provide a ground-level commercial space and requested that more transparency is applied on the alley side at the ground-level of the south façade that faces the neighboring building's (the Slate Apartments) residential lobby. (CS2.D.5, PL3.C, DC2.B, DC4.A)
- c. At the EDG meeting, the Board discussed the merits of connected versus separate access to the building's commercial and residential entries, streetscape landscaping and usable open space at the ground-level (outdoor seating). The Board did not reach consensus about the direction of the landscape/hardscape treatment at the ground-level. Although no deliberate direction was given, Board consensus was that the building access and landscape/hardscape treatment at the ground-level should be an extension and reinforcement of the overall architectural concept. (CS2.B, PL3.A, PL3.C, DC4.D)
- d. The board recognized that the subject site's west property line is setback approximately 14' from the existing sidewalk edge and understood that landscape, hardscape and any design elements (outdoor seating, lighting, bike parking, etc.) located within the right-of-way are within the purview of the Seattle Department of Transportation (SDOT). Therefore, the applicant was directed to address all proposed streetscape design directly with SDOT during the initial MUP review process and provide street improvement design specifics at the Recommendation meeting. (CS2.B, PL3.A, PL3.C, DC4.D)

3. North, East and West Facades:

- a. The Board acknowledged that visible blank walls will need to be addressed due to their prominence and visibility from the public realm and surrounding existing commercial/residential developments. The Board also stated that the proposed stair towers at the north façade should be more expressed. The Board expects to review details pertaining to any landscaping and/or design treatments (material texture, pattern, glazing, colors, etc.) proposed to address this concern at the Recommendation meeting. The Board encouraged the applicant to review the proposed development at 1518 West Dravus Street as a good example to emulate for addressing a blank wall facade condition on stair towers at the property line. (DC2.B, DC4.A, DC4.D)
- b. It is important that the future massing design be respectful to the surrounding properties, particularly the neighboring mixed-use development to the east and to the south (Slate Apartments). The Board expects the applicant to explain and demonstrate how the new building will respond to those adjacency pressures (i.e. privacy, light, outdoor activities, etc.). Providing a cross elevation to the overall overlay of the existing neighboring building's elevations with the proposed design to illustrate how they juxtapose (window study) and elevation/perspective views was noted by the Board as the preferred method to illustrate how the design meets this guidance. (CS2.D.5, PL3.B.1, DC2.C.)

4. Vehicular Parking Access and Bicycle Storage:

- a. The Board stated that the visual impact of the garage entrances should be minimized on applicable facades. Consequently, the Board requested that the garage openings be decreased in width as much as possible. The Board noted that there is an exception in the Land Use Code that will allow narrower openings for two-way traffic and encouraged the applicant to inquire about this code citation. (DC1.C.2)

- b. The Board stated that it is important that future bike facilities are usable and secure. Therefore, the Board voiced an expectation to review details pertaining to the bike facilities (quantity, layout, location, access, etc.) at the Recommendation meeting. (PL4.B.2)

RECOMMENDATION April 20, 2016

1. Design Concept, Architectural Expression and Massing: The design and siting of the new commercial/residential development should have a strong architectural presence, complement the architectural style of the neighboring building and respect adjacent properties. (CS2.A.2, CS2.D.1, CS2.D.5, CS3.2)

- a. The Board reviewed the final building design and was very pleased with the evolution of the favored design option (Concept 3-Energy). The Board commended the design team for successfully responding to the Board's guidance offered at the past EDG meeting concerning massing, architectural expression, materials and neighboring adjacency concerns. (DC2.B, DC2.C, DC2.D, DC4.A)
- b. The Board voiced strong support for the proposed material/color palette identified in the design packet and on the physical material/color samples board presented to the Board at the Recommendation meeting. The Board liked that the proposed materials add interest and texture to the design. (DC2.B, DC2.C, DC2.D, DC4.A)
- c. The applicant's materials included horizontal guard railings surrounding the roof deck area; above the southwest corner massing; and, at the residential balconies on the structure's north and south facades. The Board supported the location of the guardrails but expressed that the horizontal guardrail design surrounding the corner bench above the southwest corner massing and elsewhere on the building may create potentially unsafe conditions for residents/visitors (climbing apparatus). Ultimately, the Board requested that the future guardrails should be constructed as illustrated in the design packet (pg. 33) with high quality materials in keeping with the remaining material palette (pg. 21). If safety concerns are realized during further design development, the Board suggested art panels (i.e. laser cut panels) comparable to those design elements that are already proposed be installed in other locations of the building (pg. 25-26) as an equivalent alternative to the horizontal guard railings. (DC2.C, DC4.A)
- d. The Board was very pleased with the design evolution of the "Werner's Family Memory Gallery" within the building and on the building's exterior (pgs. 25-26, 34). The Board commended the design team on contributing positive and unique architectural character to the neighborhood. (CS3.B, DC4.A)

2. 17th Avenue West Frontage and Streetscape:

- a. The Board was pleased that the design had evolved to include increased glazing at the ground-level front façade (structural glazing) and at the ground-level south façade facing the neighboring building's (the Slate Apartments) residential lobby. The Board agreed that past concerns regarding ground-level architectural expression and transparency had been addressed successfully. (CS2.D.5, PL3.C, DC2.B, DC2.C.1, DC4.A)
- b. The Board voiced general support of the conceptual lighting design and signage design as illustrated in the Recommendation design packet and presented at the Recommendation meeting. The Board further stated that future residential signage

should be more legible and future commercial signage should be integrated with the design as much as possible. (PL2.B, DC4.B, DC4.C)

- c. Board comments regarding the integration of the front plaza landscaped area with the building entrance sequencing at ground-level illustrated in the design packet (pgs. 32-33 and 43) were very positive and expressed that the proposed landscape/hardscape/design elements integrated well with the streetscape. (CS2.B, PL3.A, PL3.C, DC4.D)

3. North, South and East Facades:

- a. The Board reviewed the north and south ground-level wall facades and stated that further design was necessary in order to alleviate the harshness of the large expanses of concrete that will be visible from the public realm and surrounding existing commercial/residential developments. Therefore, the Board recommended a condition that a portion (1/4 minimum) of the ground-level north and south facades include landscaping, or artistic treatment (i.e., painted art illustration), or texture (i.e. embedding metal cutouts from other art elements on the site, board-formed concrete, etc.) or a combination of design treatments to add human scale and texture to those identified blank facades. (DC2.B, DC4.A, DC4.D)
- b. The Board reviewed the stair tower designs at the north façade and felt that the expression of the roof elements above the stair towers was heavy and not well integrated with the building's design concept. The Board stated that further design exploration was necessary and offered the following design strategies to assist in better integrating the stair towers and addressing the blank façade condition:
 - Extend the wood and light band on the northwest tower element further up to engage with the steel lid;
 - Treat the tower roof in a similar language to the ground-level canopies in terms of expression and depth (refined, minimalist and sleek appearance);
 - Intentionally incorporate the railings/art panels that are used elsewhere on the building in lieu of the deeper roof elements;
 - Remove the roof on the northeast stair tower;
 - Incorporate windows on the west face of the northeast stair tower at the courtyard; and
 - At the north outdoor terrace area on the third level, replace the solid wall connection to the northeast tower with railing so that the raised wall of concrete would solely occur between the bio-retention planters only (i.e. mimic the railing connection to the northwest stair/elevator tower (pg. 23). (DC2.B, DC4.A)
- c. The Board appreciated reviewing the section study of the adjacent property (Slate Apartments) and expressed that the angled bays applied to the building's south wall façade would assist to minimize disrupting the privacy of residents in the neighboring building. Additionally, the Board advised the applicant to work with the land use planner to create a window elevation study to better illustrate that privacy concerns have been fully addressed. (CS2.D.5, PL3.B.1, DC2.C.)

4. Vehicular Parking Access and Bicycle Storage:

- a. The Board reviewed the garage door designs and confirmed that the garage openings had been decreased in width (20' to 16') per an exception in the Land Code that allows for narrower garage entrance openings for two-way traffic. The Board

- expressed that this design modification and the garage door details were an appropriate response that should assist in minimizing the visual impact of the garage openings. (DC1.C.2)
- b. The Board acknowledged that outstanding concerns/questions voiced at the EDG meeting concerning the future bike facilities (quantity, layout, location, access, etc.) had been addressed/resolved in the final building design. (PL4.B.2)

DESIGN REVIEW GUIDELINES

The priority Citywide guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the [Design Review website](#).

CONTEXT & SITE

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-1. Security and Privacy: Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

DESIGN CONCEPT

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Recommendation, the Board confirmed that no departures were requested.

RECOMMENDATIONS

BOARD DIRECTION

The recommendation summarized above was based on the design review packet dated Wednesday, April 20, 2016, and the materials shown and verbally described by the applicant at the Wednesday, April 20, 2016 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following condition:

1. A portion (1/4 minimum) of the ground-level north and south facades should include landscaping, or artistic treatment (i.e., painted art illustration), or texture (i.e. embedding

metal cutouts from other art elements on the site, board-formed concrete, etc.) or a combination of design treatments to add human scale and texture to those identified blank facades that will be visible from the public realm and surrounding existing commercial/residential developments. (DC2.B, DC4.A, DC4.D)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the Seattle DCI Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or
- b. Exceeds the authority of the Design Review Board; or
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
- d. Conflicts with the requirements of state or federal law.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on April 20, 2016, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four members of the West Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3).

The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Following the Recommendation meeting, Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Condition:

1. The design illustrated on the applicant's plans includes texture (board-formed concrete) and scoring applied to the ground-level north and south-facing facades. This response satisfies recommended condition #1.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all of the recommendations and condition imposed by the Design Review Board have been met.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the condition summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 15, 2016. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency

regulations require control of fugitive dust to protect air quality. The following analyzes greenhouse gas, construction-related traffic and parking, construction-related noise impacts.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse and no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed grading and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes timed on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

However, the amount of excavation and size of construction will result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted per SMC 25.05.675.B.

Construction Impacts - Noise

The project is expected to generate loud noise during grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays in SM zones. If extended construction hours are desired, the applicant may seek approval from Seattle DCI through a Noise Variance request.

The applicant's environmental checklist describes construction work timeframes occurring weekdays (Monday-Friday) from 7:00 AM to 7:00 PM and does not indicate that extended hours are anticipated.

Surrounding properties across the alley abutting the project site to the east and to the south are also zoned SM and these receiving properties would be subject to the same permitted hours of construction and levels of noise as permitted in SMC 25.08.425. These properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance identify the SM zones as a Commercial District with higher permitted construction noise levels and longer permitted hours of construction. The Noise Ordinance is therefore not sufficient to mitigate noise impacts to residences adjacent to this particular site. Pursuant to SMC 25.05.675.B, a Construction Management Plan will be required, including contact information in the event of complaints about construction noise and, and measures to reduce or prevent noise

impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; increased bulk and scale on the site; increased demand for parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emission, height bulk and scale, shadows, transportation and parking warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 59 residential units with 17 off-street vehicular parking spaces. The traffic and parking analysis (GTC, *The Werner Apartments Traffic Impact Analysis*, February 2016) indicates a peak demand for approximately 41 vehicles (38 parking stalls for the 59 residential units and 3 parking spaces for a 1,065 sq. ft. commercial space) from the proposed commercial/residential development. Peak residential demand typically occurs overnight. Peak commercial demand typically occurs during the day.

The proposed development is pursuing a bonus to the building height restrictions. To obtain the bonus building height, the Land Use Code (SMC 23.48.011.E.2) requires a goal of “no more than 40 percent of trips to and from the development will be made using single-occupant vehicles (SOVs),” measured in the PM peak hour. To achieve the single occupancy reduction, the project is required to participate in a Transportation Management Program (TMP). GTC’s data indicates that the combination of the reduced onsite parking supply (17 spaces) below market demand of 38 spaces and the inclusion of an unbundled parking element of the TMP, it is anticipated that car ownership would be reduced. GTC also identifies a variety of transportation options available within close proximity to the project site (King County Metro Transit and car/ride sharing services) that could also reduce car ownership of the future residents. The Seattle DCI Transportation Planner has reviewed the information in the Traffic Impact Analysis. The TMP with a 40% SOV rate will be reviewed by the Seattle DCI Transportation Planner and Seattle Department of Transportation prior to building permit issuance.

The project site is located at the eastern edge of the Ballard-Interbay Northern Manufacturing Industrial Urban Village within 1,320’ of frequent transit service. SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts associated with a development located in the Urban Villages within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate residential impacts of parking demand from this proposal.

Shadows

Seattle’s SEPA policies are directed at “*minimizing or preventing light blockage and the creation of shadows on open spaces most used by the public.*” Areas outside of downtown to be protected include: publicly-owned parks, public schoolyards, private schools that allow use of schoolyards during non-school hours, and publicly-owned street-ends in shoreline areas. The Interbay Athletic Field (west of the subject property) is the only area protected by Seattle’s SEPA policy that could be affected.

Submissions include analysis of shadow cast for the aforementioned Park evaluated in the summer and winter at the following times: 9:00 AM, 12:00 PM and 3:00 PM. The study identified the greatest potential for the proposed building to cast shadows on the Interbay Athletic Field would be during the early morning hours (9:00 AM) in the winter when the sun shadows to the west. During this period, the shadow diagrams demonstrated that shadows cast onto the Interbay Athletic Field would be minor.

It is not expected that the proposed development would result in any adverse shadow impacts to on the Interbay Athletic Field. Therefore, no mitigation is warranted pursuant to SEPA’s Shadows on Open Spaces policy (SMC 25.05.675.Q).

Transportation

The Traffic Impact Analysis (Gibson Traffic Consultants (GTC), *The Werner Apartments Traffic Impact Analysis*, February 2016) found that project is anticipated to generate approximately 282 new daily trips, with 18 new AM Peak Hour trips and 25 new PM Peak Hour trips.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified

areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The Seattle DCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Tami Garrett 206-233-7182 or tami.garrett@seattle.gov) or a Seattle DCI assigned Land Use Planner.

CONDITIONS – SEPA

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

2. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Tamara Garrett, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: October 31, 2016

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.